



**Calendar of the United States District Court
Southern District of California
San Diego
Wednesday, 11/30/2016
Courtroom 13B**

Present the Honorable: John A. Houston

District Judge

Deputy Clerk: L. McDowell

Court Reporter/ECR: C. Kircher

Interpreter:

Hon. John A. Houston	Wednesday, 11/30/2016	01:00PM
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1. [3:13-cr-04510-JAH](#)

USA v.

Booking # Lang

[3] Robert Banks III (C)
V CT (1s,2s,3s-5s)

46194298 ENG

[3] [Robert E Boyce](#) CJA
(619)232-3320

[10] Tony Brown (C)
V CT (1s,2s,3s-5s)

15872408 ENG

[10] [John C Lemon](#) CJA
(619)794-0423

Sentence w/ PSR (3)
Sentence w/ PSR (3,10)

IND 1 CT Filed: 12/19/2013
18:1962(d); 18:1963

S IND 5 CTS Filed: 11/20/2014
18:1591(a) and (b); 18:2
18:2423(a); 18:2
18:1962(d); 18:1963, 1594(d) and 2428(a)

[Alessandra P Serano](#) AUSA
(619)546-8104
[Joseph J.M. Orabona](#) AUSA
(619)546-7951

(10) 01/16/2014 (87-1) MOTION for Discovery
 (87-2) MOTION for Disclosure
 (87-3) MOTION for Leave to File Further Motions
 04/04/2014 (250-1) MOTION for Discovery
 08/21/2014 (439-1) MOTION for Joinder
 08/22/2014 (447-1) MOTION for Joinder
 01/29/2015 (594-1) MOTION for Joinder
 02/17/2015 (616-1) MOTION for Joinder in Codefendant Banks's Motion to Dismiss for Vindictive Prosecution (CR 559-1)
 07/12/2015 (762-1) MOTION for Joinder in Codefendant Mitchell's Motions to Dismiss Count 1 (CR 760)
 08/28/2015 (850-1) MOTION for Joinder in Codefendant Mitchell's Motion for Reconsideration of Order Denying Motions to Dismiss on Statute of Limitations Grounds (CR 821)
 09/25/2015 (911-1) MOTION to Suppress Statements Overt Acts 3 & 4 (Counts 2 -5)
 (912-1) Ex Parte MOTION for Order Authorizing Defendant to File the Contemporaneously Filed Motion to Suppress Statements
 11/03/2015 (998-1) MOTION for Joinder in Codefendants Pittman's and Mitchell's Motions to Suppress Evidence Obtained from Unlawful Searches of Facebook Accounts (CR 870; 885)
 12/11/2015 (1048-1) MOTION for Order for a Juror Questionnaire and Specific Voir Dire Regarding Pretrial Publicity
 (1049-1) MOTION to Shorten Time (from 49 to 48 days) to file motion for juror questionnaire and specific voir dire regarding pretrial publicity
 03/08/2016 (1215-2) In Limine MOTION to Exclude Evidence Under Rule 609
 (1215-4) In Limine MOTION to Compel Advance Production of the Government's Trial Exhibits
 (1216-2) In Limine MOTION to Exclude Overt Act 14 and Supporting Evidence
 (1216-3) In Limine MOTION to Exclude Testimony (Expert Testimony)
 04/13/2016 (1303-1) MOTION for Joinder in Motions in Limine filed by codefendant Pittman on April 12, 2016 (CR 1299)
 05/06/2016 (1357-1) In Limine MOTION to Exclude Evidence (uncharged "pimping" conduct)
 06/23/2016 (1454-1) MOTION for Joinder in arguments re: untimely supplemental briefing [ECF 1452]

11/11/2016 (1609-1) MOTION for Joinder in Codefendant Banks's Motion to Dismiss for Outrageous Governmental Conduct

(3) 01/16/2014 (87-1) MOTION for Discovery

(87-2) MOTION for Disclosure

(87-3) MOTION for Leave to File Further Motions

02/05/2014 (160-1) MOTION for Joinder

08/20/2014 (432-1) MOTION for Joinder in Documents # 420 and 421

08/21/2014 (439-1) MOTION for Joinder

08/22/2014 (446-1) MOTION for Bill of Particulars

(447-1) MOTION for Joinder

01/29/2015 (591-1) MOTION for Joinder

(594-1) MOTION for Joinder

07/10/2015 (761-1) MOTION for Joinder in codefendant Mitchell's Motion to Dismiss Count 1

09/16/2015 (896-1) MOTION for Joinder in codefendant Mitchell's motion to suppress evidence and for a Franks hearing (CR 885)

11/13/2015 (1013-1) MOTION for Joinder in codefendant Mitchell's amended motion to suppress Facebook evidence [ECF 920]

(1014-1) MOTION to Suppress Statements after March 31, 2001, traffic stop

03/08/2016 (1218-2) MOTION to Dismiss for Lack of Jurisdiction

(1218-5) MOTION for Joinder

04/13/2016 (1304-1) MOTION for Joinder in motions in limine by codefendants Pittman and Brown, ECF 1295, 1299

04/27/2016 (1343-1) MOTION for Joinder in Codefendant Brown's Objection and Motion to Strike the Government's Untimely Supplemental Pleading

05/06/2016 (1352-1) MOTION to Withdraw Document [1351] MOTION to Dismiss count 2 and overt act 3 of count 1 (Renewed)

(1354-1) In Limine MOTION to Sever Defendants (Order a Separate Trial for Aaron Pittman)

(1355-1) In Limine MOTION to Compel Discovery (DOJ authorization to prosecute under the "Petite Policy")

(1355-2) In Limine MOTION to Dismiss Indictment for violation of the "Petite Policy";

(1355-3) In Limine MOTION to Exclude Evidence of Brown's state-court guilty pleas

06/03/2016 (1426-1) In Limine MOTION to Preclude Testimony alleged-victim witnesses re: Overt Act 4 and Counts 3-5

(1426-2) In Limine MOTION to Preclude the testimony of government witnesses generally as a sanction for discovery violations

(1426-4) In Limine MOTION to Exclude Evidence ("rap-video" evidence)

(1426-5) In Limine MOTION to Exclude Testimony (self-serving testimony from government agents)

(1426-6) In Limine MOTION to Exclude Indictment from the jury room

06/23/2016 (1454-1) MOTION for Joinder in arguments re: untimely supplemental briefing [ECF 1452]

07/06/2016 (1497-1) MOTION to Dismiss Indictment

07/10/2016 (1505-1) MOTION for Joinder in co-defendant Brown's Proposed Jury Instructions

10/28/2016 (1597-1) MOTION for Downward Departure and Sentencing Memorandum

11/10/2016 (1607-1) MOTION for Leave to File Reply Brief

11/11/2016 (1609-1) MOTION for Joinder in Codefendant Banks's Motion to Dismiss for Outrageous Governmental Conduct

(G) 01/27/2014 (131-1) MOTION for Reciprocal Discovery

(131-2) MOTION for Order to Set Further Court Dates

03/08/2016 (1217-1) In Limine MOTION to Admit Expert Testimony

(1217-2) In Limine MOTION to Admit Testimony and Lay Opinions

(1217-3) In Limine MOTION to Admit Evidence Showing Defendants' Affiliation with the BMS Enterprise

(1217-4) In Limine MOTION to Admit Records - Business and Public Records

(1217-5) In Limine MOTION to Admit Evidence Under Rule 609

(1217-6) In Limine MOTION to Admit Facebook Chats

(1217-7) In Limine MOTION to Admit Jail Calls

(1217-8) In Limine MOTION to Admit Co-Conspirator Statements

(1217-9) In Limine MOTION to Admit Present Sense Impressions

(1217-10) In Limine MOTION to Allow Government to Recall Witnesses

(1217-11) In Limine MOTION to Allow the Use of Electrical Equipment in the Courtroom and to Use Evidence During Opening Statement

(1217-12) MOTION for Attorney Voir Dire

(1217-13) In Limine MOTION to Exclude Witnesses Except the Case Agents

(1217-14) In Limine MOTION to Exclude Evidence and Argument Regarding Punishment

(1217-15) In Limine MOTION to Preclude Evidence under Rule 412

(1217-16) In Limine MOTION to Preclude Argument and Testimony that the Minor
"Consented"
(1217-17) In Limine MOTION to Preclude Defense Experts
(1217-18) In Limine MOTION to Preclude Duress Defense
(1217-19) In Limine MOTION to Preclude Evidence Not Produced Prior to Trial
(1217-20) In Limine MOTION to Preclude Hearsay that is Self-Serving
(1217-21) In Limine MOTION to Admit Rule 404(b) Evidence
04/27/2016 (1345-1) MOTION to Detain and Objection to the Court Consideration of Bail for Defendant Tony Brown
05/06/2016 (1349-1) MOTION to Seal Document
(1350-1) In Limine MOTION to Preclude Early Release of Jencks Material
(1350-2) In Limine MOTION for Protective Order (Additional Protective Order)
05/26/2016 (1412-1) MOTION to Shorten Time to Allow Motion to Preclude Evidence [Docket 1411]
07/05/2016 (1490-1) In Limine MOTION to Allow Impeachment by Prior Felony Conviction under Rule 609 -
Reconsideration, or Alternatively, Request to Reserve until After Defendants Testify on Direct Examination (Certificate of
Service included)
10/31/2016 (1600-1) MOTION to Shorten Time to File Sentencing Memoranda

12/05/2016 08:30AM Status Hearing(24) - JAH
12/05/2016 09:30AM Revocation Superv RIs(20) - JAH
02/06/2017 08:30AM Bond Revocation Hearing(23) - JAH
02/06/2017 08:30AM Sentence w/ PSR(23) - JAH
03/06/2017 08:30AM Sentence w/ PSR(22) - JAH

Notes: